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12 UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF WASHINGTON

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16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 SETH RANDLES,

20 Defendant.

21 Case No. 2:17-CR-00222-SAB-1

22 UNITED STATES' REQUEST FOR
23 CONTINUANCE OF RESTITUTION
24 ISSUES TO A SEPARATE
25 HEARING WITHIN 90 DAYS

26 Sentencing Hearing:
27 October 7, 2021, at 1:30 p.m.
28 Spokane, Washington

29 Plaintiff United States of America, by and through Joseph H. Harrington, Acting
30 United States Attorney for the Eastern District of Washington, and David M. Herzog,
31 Assistant United States Attorney for the Eastern District of Washington, hereby requests
32 a continuance of 90 days for the restitution portion of Defendant Seth Randles
33 (“Defendant”)’s sentence. *See* 18 U.S.C. § 3664(d)(5).

34 On September 30, 2021, the United States received a Victim Impact Statement
35 from Victim M. The United States submitted the Victim Impact Statement to the United
36 States Probation Office, which supplemented the Presentence Investigation Report
37 (“PSIR”) with the Victim Impact Statement on October 1, 2021. ECF No. 112.

1 In connection with her Victim Impact Statement, Victim M has informed the
2 United States Attorney's Office that she believes she has suffered financial losses
3 attributable to Defendant. Among these are a bankruptcy that Victim M had to file after
4 suffering financial harm caused by Defendant, and dental bills that she accrued when
5 Defendant punched her in the face. To ascertain the proper value of Victim M's actual
6 losses and whether they are properly attributable to Defendant as restitution, the United
7 States needs to obtain documents related to Victim M's bankruptcy and dental issues.

8 Victim M articulated these restitution issues in connection with the Victim Impact
9 Statement she submitted on or about September 30, 2021. Given that timing, the United
10 States has not been able to ascertain and substantiate her actual losses more than 10 days
11 prior to the sentencing hearing on October 7, 2021. Pursuant to 18 U.S.C. § 3664(d)(5),
12 the United States is hereby informing the Court of the situation and requesting a
13 continuance of the restitution portion of Defendant's sentencing for up to 90 days.

14 To be clear, the United States is requesting only that the restitution portion of the
15 sentencing hearing be continued for up to 90 days, not the substantive sentencing
16 hearing itself. To the contrary, the United States and Victim M are eager to proceed
17 with the substantive sentencing hearing on October 7, 2021, and have made significant
18 logistical arrangements in preparation for that hearing.

19 The United States' goal in filing this request prior to the substantive sentencing
20 hearing on October 7, 2021, is merely to minimize surprises at the hearing. The United
21 States anticipates that the Court will be in a position to address its request at the hearing,
22 such that a separate written order addressing the request prior to the hearing is
23 unnecessary.

24 October 1, 2021

Joseph H. Harrington
Acting United States Attorney

26 s/ David M. Herzog
27 David M. Herzog
28 Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to Defendant's counsel of record using the CM/ECF system.

s/ David M. Herzog
David M. Herzog
Assistant United States Attorney